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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/707,832	01/15/2004	Donald J. Henry	P04-03	1831
25759	7590	11/24/2004	EXAMINER	
JOHN J. ELNITSKI, JR. 225 A SNOWBIRD LANE BELLEFONTE, PA 16823			GONZALEZ, MADELINE	
			ART UNIT	PAPER NUMBER
			2859	

DATE MAILED: 11/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/707,832	HENRY, DONALD J.	
	Examiner	Art Unit	
	Madeline Gonzalez	2859	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 10 is/are rejected.
- 7) ☒ Claim(s) 7-9 and 11-21 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Objections

1. Claims 6, 11, 12, 14 and 15 are objected to because of the following informalities:
 - a) Claim 6: "slid" in line 2 should be replaced with --slide--.
 - b) Claims 11, 12 and 15: The claims recite the limitation "said handle bolt" in lines 2-3, respectively. There is insufficient antecedent basis for this limitation in the claims.
 - c) Claim 14: "slid" in line 9 should be replaced with --slide--.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

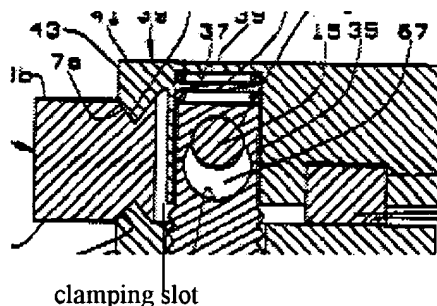
3. Claims 1-6 and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Slates et al. (U.S. 5,657,740) [hereinafter Slates].

Slates discloses a bow sight mount, as shown in Fig. 3, having:

- a mounting plate 3, said mounting plate 3 including a sight end and a mounting end;

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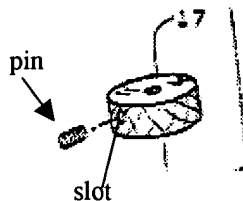
- a rail 5 extending along said sight end of said mounting plate 3;
- an adjustment bolt 15 retained by said sight end of said mounting plate 3;
- sight platform 1, said sight platform 1 including a slide section for connection to said sight end of said mounting plate 3;
- said sight platform 1 including a sight section adapted for connection of a bow sight 23;
- said slide section including a rail groove composed by legs 43 and 55, as shown in Fig. 4, to slidably mount said sight platform 1 to said rail 5 of said sight end;
- said slide section including a threaded hole 71 to receive threads of said adjustment bolt 15;



- said slide section including a clamping slot which splits said rail groove to allow clamping of sides of said rail groove against said rail 5;
- a tightening assembly to close and clamp said sides of said rail groove against said rail 5;
- wherein said tightening assembly includes a handle 75, a handle bolt 61 and a clamping hole 57;

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- wherein said clamping hole 57 is in said sight section and passes through said clamping slot;
- wherein said handle bolt 61 is positioned in said clamping hole 57;
- wherein said handle 75 attaches to said handle bolt 61 and can be turned to clamp said sides of said rail groove against said rail 5;
- wherein said rail 5 is a dove tail shape and said rail groove is a matching dove tail shape;
- wherein said rail 5 runs in a vertical direction when in use on a bow B, such that said sight section moves up and down said rail 5;



- wherein said sight end includes a bolt retainer 17 and wherein said bolt retainer 17 includes a slot to receive said adjustment bolt 15 and a pin to retain said adjustment bolt 15 in said slot; and
- wherein said adjustment bolt 15 is forward of said rail 5 towards said slide section.

Allowable Subject Matter

4. Claims 7-9 and 11-21 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Gibbs, Marietta, Slates ('347), Johnson et al. ('306), Slates ('779), Henry and Slates ('822) disclose related bow sight mounts.

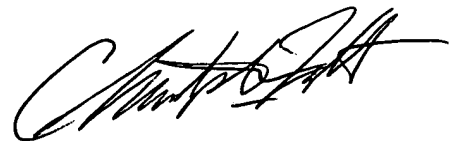
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Madeline Gonzalez whose telephone number is (571) 272-2243. The examiner can normally be reached on Monday-Friday (8:00-5:30), alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Diego F.F. Gutierrez can be reached on (571) 272-2245. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MG



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PRIMARY EXAMINER